

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

BRANDON HAMMAN,)
)
)
Plaintiff,)
)
v.) Cause No. 3:25-cv-00736
)
)
The CITY OF CARBONDALE, an)
Illinois municipal corporation, JOHN)
LENZINI, in his individual and official)
capacities, and LEONARD JAMIE)
SNYDER in his individual and official)
capacities,)
)
Defendants.)

DECLARATION OF JOHN LENZINI

Pursuant to 28 U.S.C. § 1746, under Penalty of Perjury, I state as follows:

1. I am a citizen of the United States residing in the State of Illinois, and I am over the age of eighteen.

2. I am voluntarily providing this Declaration of my own free will and, in my capacity as Community Development Manager for the City of Carbondale, have personal knowledge of the facts set forth herein and, if called as a witness, could and would competently testify to the statements in this Declaration.

3. The City of Carbondale's sign ordinance at issue in this lawsuit, Carbondale Revised Code Section 15.4.10, et seq., (the "Ordinance") has been adopted for the dual purposes of pedestrian and traffic safety, as well as to maintain the visual character of the city.

4. On the date of the incident referenced in Plaintiff's Complaint (the "Incident"), I told Plaintiff he was permitted to carry his signs, but was not permitted to stake the signs into the ground within the public right-of-way.

5. Plaintiff eventually removed his signs from the public right-of-way and began carrying them instead.

6. Plaintiff and others present on the date of the Incident carried signs in the public right-of-way without incident and without safety issues. Once Plaintiff and others present began carrying their signs, no one interfered with their activity.

7. The Incident occurred entirely in the public right-of-way.

8. I oversee the Building Neighborhood Services Division, which division is responsible for enforcing the Ordinance.

9. The Ordinance prohibits placing signs in the public right-of-way.

10. The Ordinance does not allow temporary permits to be issued for signs on public rights-of-way.

11. It is the City of Carbondale's practice to remove all signs in violation of the Ordinance when they are noticed.

12. If a citizen reports a sign in violation of the Ordinance, city officials respond to each complaint without discriminating based on content of the sign or identity of the speaker.

13. I have not been promised or provided anything of value in exchange for this Declaration, have been given ample time to review and consider the statements made in this Declaration, have had an opportunity to make any changes to this Declaration as I see fit, and have read and understood this Declaration in its entirety.

14. I verify under penalty of perjury under the laws of the United States of America that the factual statements in this Declaration are true and correct pursuant to 28 U.S.C. § 1746.

EXECUTED ON January 9, 2025.


John Lenzini